

EQUITABLE TRUSTEES ACCEPT

CHAIRMAN MORTON PROMISES A THOROUGH OVERHAULING.

He Will Get to Work in Earnest This Week—Brayton Ives Resigns, but It's Hoped to Get Some Directors to Come Back—Belmont Says He's Pleased.

All three of the men invited by Thomas F. Ryan to act as trustees of the 501 shares of the Equitable's capital stock, bought from James Haden Hyde by a group of policyholders headed by Mr. Ryan, have accepted. A man representing the new owners of the stock called on Grover Cleveland at his home in Princeton yesterday and obtained his consent. George Westinghouse and Justice Morgan J. O'Brien of the New York State Supreme Court, the other two men designated by the stockholders, sent their formal letters of acceptance to Mr. Ryan early yesterday morning.

Upon the receipt of the information that Mr. Cleveland would serve, Mr. Ryan sent the following telegram to him:

"I am very glad to hear that you will accept my hearty thanks for your acceptance of the trusteeship of the stock of the reorganized Equitable Life Assurance Society and for your effective cooperation in the important work to be done by the shareholders, trustees and directors in protecting and promoting the interests of the policyholders and all concerned in life insurance."

Following the announcement in the newspapers yesterday that Brayton Ives, president of the Metropolitan Trust Company, and the only member of the Frick investigating committee who was left on the board of directors, had opposed the election of Secretary of the Navy Paul Morton as chairman of the Equitable's governing board, Mr. Ives tendered his resignation as a member of the society's directorate. He is the fourteenth director to resign. In explanation of his action Mr. Ives said:

"At the meeting next to the last of the Equitable board I called upon both Mr. Hyde and Mr. Alexander to resign. I was the only one who stood up and maintained that both these gentlemen should resign. At the last meeting of the Equitable board I urged that there should be a change in the ownership of a majority of the Equitable stock."

"Both these things have now taken place. Mr. Hyde and Mr. Alexander have resigned and the stock has been sold. This having been done, and a new management having come in, the only logical thing for me to do was to resign and leave the new control free, so far as I am concerned, to fill the new directorate as it thought best."

In a letter to the newly elected chairman Mr. Ives says:

"In view of yesterday's events it seems proper that I should make the following statement:

"Previous to the taking of a vote for a chairman I urged the postponement of such action until there should be a change in the ownership of the majority of the stock of the Equitable. At that time I had no knowledge of the change of ownership that had already taken place. Had I known it I should, undoubtedly, have voted for you, as I have not mentioned the subject candidly in the past. I expressly stated that I had no personal opposition to you."

"Inasmuch as I am not a stockholder in my own right, and as the stock under which I qualified has changed hands, and in order to give you a free hand, which you desire and need, it is fitting that I should tender my resignation as a director of the Equitable Life Assurance Society, and hereby do resign."

"In taking this action I assure you of my cordial wishes for your success in your new office, in which I shall be joined, I am sure, by all public spirited citizens."

The statement was made yesterday that it was the purpose of the new stockowners to ask some of the directors who have resigned to reconsider their action, now that there has been a change of conditions. It was said, Cornelius N. Bliss, Robert T. Lincoln, T. Jefferson Coolidge and one or two other New Yorkers.

Chairman Morton made his first statement regarding the future policy of the society yesterday. He said:

"My watchword as chairman of the board of directors will be 'everyday for the best interests of the policyholders.' I don't want to appear to reflect upon the management that was in force heretofore, but I shall see that there is a thorough overhauling of the business with a view to retrenchment and other changes that have been advocated. I have nothing to say regarding the resignations. I am going to Washington to-night and on my return I expect to go directly into the affairs of the society. Mr. Morton will return to this city next Wednesday to attend a meeting of the executive committee of the board of directors."

Stories to the effect that August Belmont had strenuously opposed the election of Mr. Morton and the entrance of the Ryan policyholders' group into the control of the Equitable brought out this statement from Mr. Belmont:

"What has been done and the manner in which it was done has had and at the meeting my fullest indorsement. I was not aware until late last evening who composed the purchasing syndicate, and it was really not material to me. The principle was the right one, and I had been advocating practically what has been accomplished. It is not true, as has been stated, that I opposed Mr. Morton."

"Had I known of Mr. Hyde's decision—which we were all in ignorance of—I would have advocated the nomination by the committee, but I did not know Mr. Morton well enough to assume the responsibility or proposing him without the powers which he now possesses attached, and so the question went to the full board."

"Mr. Ryan deserves the gratitude of every one, and the movement has my hearty indorsement and support."

One report had it yesterday that Mr. Belmont had himself offered to take the chairmanship of the board if it were preferred to him with the understanding that his services would be given without any compensation.

The new chairman spent most of yesterday in conference with the Equitable officers and the new owners of the majority of the stock. Early in the morning he went to the American Line pier to see his wife and daughter off on the New York for Europe. Then he went straight to the Equitable Building and entered into a conference with President Alexander which lasted until after noon.

After Mr. Morton had conferred for an hour with Mr. Ryan in the latter's office in the Mutual Life Building he went back to another conference in President Alexander's office. This meeting was attended also by Mr. Hyde, the three other vice-presidents, Gage E. Tarbell, George T. Wilson and W. H. McIntyre and the society's secretary, William Alexander.

The conference lasted almost two hours. When it broke up Mr. Morton announced that they had been considering the advisability of sending out a letter to the policyholders and one also to the agents of the society, but had decided to wait until the meeting of the executive committee on Wednesday.

The details of the transaction for the transfer of the Hyde stock were completed yesterday afternoon and Mr. Hyde handed over his holdings to the policyholders' group, receiving a check for the amount agreed upon. Reports differed yesterday as to what this amount was and no definite statement could be obtained from the principals in the transaction. One report had it that the price paid for the stock was much nearer \$1,000,000 than \$3,000,000.

It became known yesterday that one of the reform features that will be introduced by the new management will be the limiting of the society's investments in the future to practically a savings bank basis. The investments will be confined to real estate, mortgages and approved classes of State, municipal and railroad bonds. This plan, it was said, would not affect the securities which the society holds now.

The opinion was expressed generally in Wall Street and in insurance circles yesterday that the sale of the Hyde stock and the action taken by the officers of the society at the board's meeting on Friday are going to result in a permanent settlement of the Equitable troubles. Said Senator Chauncey M. Depew:

"Everything is peaceful, and I believe there is to be no more friction in the future. Mr. Morton is an exceptionally desirable officer for the position, and I consider him as eminently fitted not only through training in great business enterprises, but by reason of his being of the right age. He is energetic, cool headed and able. I believe the directors and policyholders alike hold this opinion of him."

Melville E. Ingalls, the director and member of the Frick investigating committee who resigned after the Frick report was rejected, said in Cincinnati yesterday:

"I believe everything was along the right line. For one thing, the one man power is done away with. Paul Morton is a good man for the place. In due time, no doubt, the high salaries ones will have to go, and there will undoubtedly be many other much needed reforms."

"I have known Mr. Morton for twenty-five years and consider him an able and excellent gentleman."

Mr. Ingalls intimated strongly that the directors who have recently resigned would very likely under the new administration readily consent to reconsider their determination to get out and would before long again enter the society's directorate.

The general managers and agents of the Equitable who are worrying about the advances which they are going to receive under the new management, or rather the lack of such advances, are meeting on Friday around the corridors of the Equitable Building. They all asserted that they were going to remain loyal to Gage E. Tarbell and that they would do everything in their power to prevent the new management from accepting the resignation which the second vice-president has placed in the hands of Chairman Morton.

Would Distribute Insurance Companies' Surplus.

MILWAUKEE, June 10.—The Senate passed today a bill forcing insurance companies in this State to distribute their surplus. The trouble in the Equitable company caused the bill to be prepared.

PLANS TO BUY CHICAGO RAILS.

Mayor Dunne May Meet Railway Men Tomorrow—Daylyme Says a Price.

CHICAGO, June 10.—James Daylyme, according to a friend of the Glasgow traction man, told Mayor Dunne before leaving Chicago last evening that if the city could secure the Chicago City and Morgan syndicate paid for a controlling interest—\$200 a share—it would be well to go ahead and buy the lines. Concerning Union Traction Mr. Daylyme is said to have reserved his opinions as to what the property was worth.

The City Railway will not sell out to the city on Daylyme's terms. One of the traction attorneys said today that the present board considered its lines worth more than it paid for them three months ago. Reconstruction and rehabilitation under Mr. Mitten's management are going on rapidly.

The first of the 200 new cars ordered in April are expected to be delivered next week. Tentative plans for turning over the properties to the city have not yet been made. The city is said to be almost convinced that the subject will be submitted to the local transportation committee next Wednesday. A conference, it was said, had been arranged between the traction companies and Mayor Dunne and his counsel for Monday afternoon.

CHILD'S FATHER SAVES DRIVER.

Five-Year-Old Ran in Front of Team and May Die—Crowd Threatening.

Kathleen Lawlor, 5 years old, of 311 East Thirty-second street, died of a heart attack in front of her home in front of a team drawn by a horse and wagon yesterday afternoon. The horse knuckled her down and fractured her skull, while a wagon wheel scraped all the skin from her left leg.

The accident was witnessed by the child's father and mother, and by several hundred men who were passing through the street on their way home from work.

While the parents were caring for the bleeding child, the crowd circled menacingly around the driver, Charles Reichel, of 413 East Fifty-fifth street, until he appealed for protection to Policeman Frawley of the East Thirty-fifth street station.

Hearing the threats against Reichel, the girl's father cried out:

"For God's sake, don't do anything rash! It wasn't his fault anyhow."

The driver was then taken to the East Thirty-fifth street station while the child was sent to Bellevue.

When You Are Sick Use

Dewey's Port Wine and Grape Juice.

H. T. Dewey & Sons Co., 126 Fulton St., New York.

Ad.

FIGHTS FOR WEIGHTMAN CASH

MRS. WISTER BEGINS ACTION TO BREAK MILLIONAIRE'S WILL.

Daughter-in-Law Says Her Children Were Cut Off After She Declined to Wed the Aged Chemist—Jealousy and Influence of Mrs. Walker Mentioned.

PHILADELPHIA, Pa., June 10.—With the filing of a petition against Mrs. Anne D. Weightman Walker, daughter of the late chemist William Weightman, Mrs. Jones Wister, his daughter-in-law, today began her legal fight to obtain for her six daughters a share of the sixty millions left to Mrs. Walker by her father.

Insane jealousy and the influence of Mrs. Walker are set forth as the two chief reasons why William Weightman disinherited his grandchildren. Weightman is pictured as weakened mentally, physically and morally at the time he drew up his last will. It is further charged that the late chemist was made to believe that his widowed daughter-in-law's marriage to Jones Wister was not from reasons of affection, but from base and highly improper and immoral motives, and that this fact and the fact that he had been rejected as a suitor by Mrs. Wister, led to his disinheriting her six children. His jealousy is called both insane and unnatural.

Mrs. Walker is pictured as constantly intriguing against the children of Mr. Weightman's sons. The petition points out that shortly after Mrs. Walker took charge of Mr. Weightman's household, after Mrs. Wister's marriage, Mr. Weightman made a codicil to his old will, by the terms of which his bequests to his grandchildren were cut down to trust funds during their life.

This, the contestant's lawyer asserts, shows the first results of Mrs. Walker's undue influence which, they allege, resulted in a little later in the destruction of the first will and the writing under Mrs. Walker's influence, of a second codicil.

The petition was drawn in the name of Charles D'Invernizzi, brother of Mrs. Jones Wister, who for the purpose of bringing the contest had been appointed guardian of Martha Weightman, the minor daughter of Mrs. Wister and one of the disinherited grandchildren.

Judge Ashmun ordered a citation against Mrs. Walker to show cause why the will already probated should not be set aside and why the questions brought up by the contestants regarding Mr. Weightman's condition and Mrs. Walker's influence should not be put to trial.

The allegation concerning the codicil is as follows:

"That your petitioner is informed that the said William Weightman executed writings, or writings in which he bequeathed to each of his said grandchildren \$1,000,000, and to his daughter-in-law, the said Martha Rogers Weightman, and said Sabine D'I. Weightman Wister, each the sum of \$500,000, a more particular description of which writings, or writings, your petitioner is unable at this time to give."

The charges against Mrs. Walker are related thus:

"The said William Weightman at the time of the said alleged testamentary writing of Aug. 1, 1895, was 82 years of age, with the usual infirmities of age, augmented by a previous severe illness, which had left him and by reason of which he then was in an exceedingly feeble condition, physically, mentally and morally. From the death of his wife in the latter part of 1884 the said William Weightman lived with his son, Dr. William Weightman, Jr., until the latter's death in 1890, and thereafter with his daughter-in-law, the said Sabine D'I. Weightman Wister, and her daughters until 1893."

"During the time that he lived in the family of his daughter-in-law, Sabine D'I. Weightman Wister, he received the most exclusive care and attention, and manifested the warmest affection for his grandchildren, and as your petitioner is informed and expects to be able to prove, in the early part of 1893 urged her to marry him, but the refusal of his request did not then produce any apparent resentment or estrangement."

"In 1894, a gentleman sought her in marriage and asked the consent to give his approval to his proposal. At the time the consent was given, the gentleman was a man of intemperate habits and not a proper husband for her, all of which was absolutely without reason or foundation; that his grandchildren would be taken from him, and would be obliged to give up the name of Weightman and take that of Wister; that any property acquired by them from him would pass into the control of the said Sabine D'I. Weightman Wister, and that the marriage of the said Sabine D'I. Weightman Wister was not by reason of affection, but from base and highly improper and immoral motives, and that the relations of her husband and looked down upon the descendant socially and had circulated rumors that he had wished to marry her, and that his opposition to the marriage was based upon his disappointment because he, the said decedent, was a rejected lover, all of which statements were untrue and without any reason or justification whatever."

"As a result of the false and malicious misrepresentations with which his mind was poisoned or as a consequence of his resentment because of the said Sabine D'I. Weightman Wister having him and making a second marriage the decedent became possessed of a morbid and insane suspicion, jealousy and hatred of the said Sabine D'I. Weightman Wister, and while so influenced and controlled, and as a result thereof, he executed the paper writing of Aug. 1, 1895, whereby he disinherited all of his grandchildren."

The petition initiates so much and in such strong language that friends of the contestants and defendants declare that the trial, if it is allowed to go on, will furnish society food for many days' gossip. Mrs. Walker is at present abroad and her lawyer declines to say whether or not he will file his answer to the petition before her return to this country.

THE SECOND REPRISAL.

A new fast train on New York Central have

Grand Central Station 10 P. M. arrive Albany

6:20 P. M. leave Albany, 6:20 P. M. leave Albany

6:20 P. M. leave Albany, 6:20 P. M. leave Albany

6:20 P. M. leave Albany, 6:20 P. M. leave Albany

HARMON AND JUDSON RESIGN

Special Counsel in Santa Fe Cases Wanted to Prosecute Paul Morton

WASHINGTON, June 10.—Judson Harmon of Cincinnati and Frederick Judson of St. Louis, special counsel for the Government in the Santa Fe case, have resigned or will soon do so, and announcement of the fact will be made by Attorney-General Moody early next week.

This is the result, it is understood, of differences between the Attorney-General and the special counsel, the latter having recommended a prosecution of officers of the Atchafalaya system, which course, it is believed, was not approved by Mr. Moody.

The best information obtainable here is to the effect that Messrs. Harmon and Judson determined some weeks ago to wash their hands of the Atchafalaya case. They came to Washington and had many conferences with the Attorney-General.

This was followed by a report that there had been a scene in the office of the Attorney-General when the suggestion was made by special counsel that proceedings should be instituted in the courts against the Atchafalaya, its officers and others involved.

Attorney-General Moody denied that there had been a scene, although, as far as can be learned, he has never denied that the special counsel favored court proceedings against the Atchafalaya. When asked to-day whether he should the Administration decide to prosecute the railroad combination enterprise, it will cause a greater stir, say the authorities, than when the anti-trust law was invoked in the merger case. The President is asked to instruct the Attorney-General to begin proceedings in the United States courts for these purposes:

First.—To enjoin the Southern Railway Company and the Atlantic Coast Line from acquiring or attempting to acquire further stock of railroad companies in Southern territory and from voting the stock which they now hold in railroads other than the stock of their own companies, &c.

Second.—To institute proceedings to dissolve the Southeastern Mississippi Valley Association and Southern Freight Association, and to enjoin the companies belonging to them from further agreeing, combining or conspiring together to establish or maintain rules, regulations and rates, &c.

Third.—To enjoin the two associations mentioned from carrying into effect the joint agreements entered into between them and from continuing to agree, combine, conspire and act together to maintain rates.

Fourth.—To enjoin the companies, parties to a meeting in New York city at the Waldorf Hotel in December, 1904, from carrying into effect the agreements entered into at said meeting.

A committee of Cincinnati shippers, including H. Lee Early, president of the Chamber of Commerce; R. H. West, president of the Receivers and Owners Association; J. B. Farnham, president of the Cincinnati Association of Shippers, brought the petition to Washington.

It is alleged that a combination somewhat similar to the Joint Traffic Association exists among all the Southern roads, and that by their traffic arrangements rates are fixed which are excessively higher than those which obtain in Northern territory.

PREPARES TO FIGHT GRAFT.

Mayor Weaver Shakes Up Magistrates With an Eye to the Future.

PHILADELPHIA, June 10.—In order to save the way for important arrests, Mayor Weaver today removed from their stations in City Hall Magistrates Robert J. Moore, the Republican leader of the Fourth ward, and Magistrate Leslie Yates of the Thirteenth ward, both Durham men. In their places he put Magistrate Eisenbrown, a Democrat, and the one before whom most of the law and order society's cases are heard, and Magistrate Kohnersperger, who was ousted from City Hall station by the old machine.

Central station, as the City Hall court is known, is the most important in the city. It is the one that has passed upon all political arrests, and if the Mayor wants his charges against contractors sustained he must have the sympathy of the Central station judiciary. Both Moore and Yates were alleged to keep their offices in a private house.

It is no secret that startling facts concerning frauds in connection with city contracts have been unearthed as a result of Weaver's investigation. John A. Acker, the Water Bureau stockholder, justified his arrest to-day by turning partly upon the men who have been bribing him and giving the Mayor evidence concerning fraudulent dealings of contractors.

The Mayor's advisory board will hold its first meeting Monday next, and the most important matter that is likely to be brought up for consideration at that time will be the question of finances and the necessity for the creation of a new permanent loan of \$10,000,000.

DEWEY DRY DOCK FLOATED.

Largest Steel One Ever Built Named by Admiral Endicott's Daughter.

BALTIMORE, June 10.—The big floating dry dock which the Maryland Steel Company has just completed for the United States Government was floated to-day at Sparrows Point. The offer dock which has protected the big basin in which the dock was built was opened to the water, came in. Then the water kept in the big dock was pumped out and she slowly floated on the water.

Miss Maud Endicott, daughter of Admiral Endicott, chief of the Bureau of Yards and Docks of the United States Navy, received the signal as the big dock slowly went forward and named it "Dewey Dry Dock."

A chorus of whistles from the tug at hand and cheers from the several hundred Sparrows Pointers who lined the shore attended the event—the biggest in the history of the marine department of the Maryland Steel Company.

The dock is the largest floating steel dry dock in the world. It is made sufficiently strong to dock the largest vessel in the United States Navy. When the Maryland Steel Company began work on it the contract called for its completion by July 20. It will be ready for delivery fully a month ahead of time.

A big celebration is planned for June 20, when the tests will be made. The dock will be at Solomons Island until September, when arrangements will be made for the long tow to the Philippine Islands.

John's Homeopathic Laxative keeps your liver and intestines active and insure perfect health.

Ad.

RAILROAD COMBINE CHARGED.

THE PRESIDENT ASKED TO PROCEED AGAINST IT.

It Involves All Lines South of the Ohio and East of the Mississippi—A Combination in Restriction of Trade Alleged Similar to Joint Traffic Association.

WASHINGTON, June 10.—President Roosevelt was asked to-day to proceed, under the Sherman anti-trust law, against the Southern, the Illinois Central, the Louisville and Nashville, the Norfolk and Western, the Chesapeake and Ohio, the Atlantic Coast Line, and all the other railroads and traffic associations operating in the territory south of the Ohio and east of the Mississippi rivers. A conspiracy in restraint of trade is alleged, and the President is asked to prevent the carriers in question from continuing it.

The petition embracing the charges against the carriers was submitted to Attorney-General Moody by a delegation representing the Receivers and Shippers' Association of Cincinnati. It was intended to take the matter up directly with President Roosevelt, but in his absence he requested that the Attorney-General receive the petition.

It is asserted by those concerned that the interests involved and the issues raised are more far reaching than in the Northern Securities merger case. Should the Administration decide to prosecute this railroad combination enterprise, it will cause a greater stir, say the authorities, than when the anti-trust law was invoked in the merger case. The President is asked to instruct the Attorney-General to begin proceedings in the United States courts for these purposes:

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MRS. HUBBARD'S EXPLORING TRIP

Wife of Labrador Victim Will Continue the Trip That He Planned.

HALIFAX, N. S., June 10.—The wife of Leonidas Hubbard, who perished while on an expedition in the Labrador interior, has planned to continue Mr. Hubbard's work and has arrived here. She will leave next week on the steamer Harlow for Gillamport, on the Labrador coast, and thence she will continue explorations from the point where her husband was forced to stop.

Mrs. Hubbard's party will include five members, besides Indians and other guides. Mr. Wallace, who was associated with Hubbard in the previous expedition, passed through here a week ago, on the way to Labrador, with the same object in view as that of Mrs. Hubbard. Mr. Wallace said nothing about joining Mrs. Hubbard's expedition.

YALE CREW FIGHTS A FIRE.

Freshmen's Bucket Brigade Puts Out a Blaze at Gales Ferry.

NEW LONDON, June 10.—When fire started on the lower floor of Leon Hutchings' cottage at Gales Ferry this morning the several hundred colonists in adjoining residences on the bluff believed the entire group of little houses was doomed.

A messenger was sent posthaste to Broadview, the Yale crew's training quarters, and the oarsmen lost no time in responding to the summons. Stuyvesant Fish, coach of the freshmen crew, headed the volunteers and called for all the buckets in the colony. A score of pairs were soon forthcoming, and the young athletes worked hard for half an hour pouring salt water from the Thames into the building. Many of the varsity oarsmen arrived in time to lend a hand to the youngsters.

BIGelow GETS TEN YEAR TERM.

The Milwaukee Bank President Who Stole \$1,500,000 Pleads Guilty.

MILWAUKEE, June 10.—Frank G. Bigelow, the former president of the First National Bank, who embezzled \$1,500,000 of the bank's funds, was arraigned before Judge Quarles in the United States Court here to-day, pleaded guilty to ten indictments and was sentenced to serve ten years in jail at hard labor. Judge Quarles, the former United States Senator, who sentenced him, had been his friend for many years.

AMERICAN PERFORMER KILLED.

Falls From Tightrope While Giving an Exhibition in England.

Special Cable Despatch to The Sun.

LONDON, June 10.—While Hermann Davidson, an American tightrope walker, was giving a performance this afternoon at Hastings he lost his balance and fell, tangle, sixty feet. He was killed instantly.

SEVENTH REGIMENT MAN HURT.

Leg Caught by Something That Flashed in and Out of a Baggage Car Door.

STATE CAMP, Peekskill, June 10.—The trip of the Seventh Regiment by rail to camp to-day was marred by a painful and somewhat mysterious accident which happened to Alexander Y. Pringle, a private of Company G. He was riding in the baggage car, as he is attached to the Quartermaster's Department. Something from a freight train passing in the opposite direction came through the car's open side door and was drawn out again. It caught the legging on Pringle's left leg.

The legging yielded, or Pringle would have been dragged out through the door. As it was, his leg below the knee was bruised and lacerated. Surgeons at once took the injured man in hand and on arrival in camp the injuries were more carefully dressed. Pringle will be laid up for some time.

ASSASSIN AT KIEF.

Fires On and Seriously Wounds Officer of the Secret Police.

Special Cable Despatch to The Sun.